



The Commissioner is authorized to debit our Deposit Account No. 02-0840 for any underpayment of fees which may be due in association with this filing.

Respectfully submitted,

Date: 6/3/99

By: R. William Beard, Jr.

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ATTORNEY FOR APPLICANTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Shoichi, Ozaki, et al.

U.S. Serial No.: 09/214,881

U.S. Filing Date: January 14, 1999

International Appln. PCT/JP97/01647

International Filing Date: May 15, 1997

Title: Diagnostic Drugs for Auto  
Immune Diseases

§ Art Unit: Unknown

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Examiner: Unknown

Docket No.: S71761PCUS

Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

CERTIFICATE OF MAILING BY FIRST CLASS MAIL  
I hereby certify this correspondence is being deposited with the  
United States Post Office as First Class Mail in an envelope addressed  
to Assistant Commissioner for Patents, Box PCT, Washington, D.C.  
20231 on June 4, 1999.

Kerry Caldwell  
Kerry Caldwell

June 4, 1999  
Date

Dear Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. § 371 MAILED MAY 27, 1999**

Applicants hereby submit an executed Combined Declaration and Power of Attorney in  
response to the Notification of Missing Requirements Under 35 U.S.C. § 371 mailed May 27, 1999.  
Also enclosed is a check in the amount of \$130.00 for payment of the surcharge.

Respectfully submitted,

Date: 6/3/99

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Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20540

U.S. APPLICATION NO. 09/214,881 FIRST NAMED APPLICANT OZAKI ATTY. DOCKET NO. S 971761PCUS  
INTERNATIONAL APPLICATION NO. PCT/JP97/01647  
I.A. FILING DATE 05/15/97 PRIORITY DATE 07/17/96  
DATE MAILED: 05/27/99

09/214,881 OZAKI 5071

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**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):  
☒ U.S. Basic National Fee.  
☒ Copy of the international application in:  
☐ a non-English language.  
☒ English.  
☐ Translation of the international application into English.  
☐ Oath or Declaration of inventors(s) for DO/EO/US.  
☐ Copy of Article 19 amendments.  
☐ Translation of Article 19 amendments into English.  
☒ The International Preliminary Examination Report (a-e) and its Annexes, if any.  
☐ Translation of Annexes to the International Preliminary Examination Report into English.  
☒ Preliminary amendment(s) filed 14 JAN 99 and  
☒ Information Disclosure Statement(s) filed 30 APR 99 and  
☐ Assignment document.  
☐ Power of Attorney and/or Change of Address.  
☐ Substitute specification filed  
☐ Statement Claiming Small Entity Status.  
☒ Priority Document.  
☒ Copy of the International Search Report ☒ and copies of the references cited therein.  
☐ Other:

JUN 1 1999  
Response to Missing Requirements  
6/30/99  
FPC

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.  
☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.  
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☒ PTO-875  
FORM PCT/DO/EO/905 (December 1997)

Telephone: (703) 305-3747

RECEIVED

JUN 1 1999

FROHWITTER  
HOUSTON TX